
Appeal Decision

Site visit made on 3 February 2020 by Mariam Noorgat BSc (Hons)

Decision by Chris Hoults BA(Hons) BPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th February 2020

Appeal Ref: APP/T5150/D/19/3241294

86 Ballogie Avenue, London NW10 1SY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr A Oyefeso against the decision of Brent Council.
 - The application Ref 19/2756 dated 3 August 2019 was refused by notice dated 27 September 2019.
 - The proposal is to build upon single storey side extension with new double storey side extension with new pitched roof over to meet existing.
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Decision

1. The appeal is allowed and planning permission is granted to build upon single storey side extension with new double storey side extension with new pitched roof over to meet existing at 86 Ballogie Avenue, London NW10 1SY, in accordance with the terms of the application Ref:19/2756, dated 3 August 2019, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: H14975PA-001, H14975PA-002, H14975PA-003, H14975PA-004, H14975PA-005, H14975PA-006, H14975PA-007, H14975PA-008, H14975PA-009, H14975PA-010, H14975PA-011 and H14975PA-012.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The applicant's name on the application form is given simply as "Oyefeso". I take the appellant's name from that shown on the Appeal Form.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site is an end of terrace two-storey property which sits on the corner of Ballogie Avenue and Dog Lane. The properties on Ballogie Avenue consist of a mixture of small terraces and semi-detached properties and many have single storey rear extensions. The rear elevations of the properties on the same side of Ballogie Avenue as the appeal site are varied in their depth and are highly visible from Dog Lane. The properties along Dog Lane also vary in style and size and comprise, amongst other things, three and two storey flats, some of which are sited close to the rear boundary of the appeal site. The single storey side element of the dwelling at the appeal site is set in from the boundary along Dog Lane which gives a sense of spaciousness in views from behind and in front of the appeal site.
6. The side element of the proposal would be positioned on top of the present single storey side extension. It would have the same width and depth as this except that it would be set back from the front elevation of the host property. Most of the proposed roof form would be set down a modest distance from that of the host property and the remainder, which would (as in the case of the existing ground floor extension) project beyond the rear elevation of the host dwelling, would be set down further by a significant distance.
7. The Council state the proposed development would meet the requirements set out within the Residential Extension and Alterations Supplementary Planning Document Jan 2018, (SPD2), except for the two-storey rear element that would exceed the limit of 3m as set out within the SPD2. I note that the 3m parameter is to protect the amenities of the neighbouring occupiers, but no issue is raised here with impacts on neighbours' living conditions. Accordingly, I consider these limitations on depth to be of limited relevance in this case.
8. Notwithstanding this, given the range of different extensions to the rear elevations of the properties close to the appeal site and the varied nature of developments witnessed along Dog Lane, the proposal would not depart from a uniform pattern of development. It would therefore complement the mix of extensions and additions in the locality. It would add to the overall mass of built form on this corner plot. However, its being set in from the boundary along Dog Lane and set back on the Ballogie Avenue frontage, together with the progressive set-down of the rear roof form, would maintain the positive benefit of a sense of spaciousness in the street scene. It would not therefore appear overbearing or excessive. More importantly, it would improve upon a series of disparate and at times ill-related earlier extensions in a design that would restore coherence to the building as a whole.
9. The Council do not raise any concerns with regards to the single storey rear extension and given the overall coherent design, I have no reason to disagree.
10. Based on the reasoning above, I conclude that the proposed development would not have an adverse effect on the character and appearance of the area. It would therefore not conflict with Policy DMP1 of the London Borough of Brent

Local Plan, Development Management Policies, November 2016, which seeks to ensure developments are well designed and respect the local character.

Conditions

11. In addition to the standard time condition and in the interests of certainty, a condition is necessary to ensure the development is carried in accordance with the approved plans. Furthermore, in the interests of the character and appearance of the area, a further condition is necessary to ensure matching materials are used.

Recommendation and Conclusion

12. For the reasons set out above, and having had regard to all other matters raised, I recommend the appeal is allowed.

Mariam Noorgat

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

C M Hoult

INSPECTOR